## REMARKS/ARGUMENTS

Applicants received the Office Action dated October 4, 2007, in which the Examiner: (1) rejected claims 1-4 and 14 under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Publication No. 2002/0065099 ("*Bjorndahl*") in view of U.S. Pat. No. 6,760,319 ("*Gerten*"); (2) rejected claims 5-9 and 15-20 under 35 U.S.C. § 103(a) as being allegedly obvious over *Gerten* in view of U.S. Pat. No. 6,326,926 ("*Shoobridge*") and *Bjorndahl*; and (3) rejected claims 10-13 under 35 U.S.C. § 103(a) as being allegedly obvious over *Gerten* in view of U.S. Patent No. 6,650,871 ("*Cannon*") and U.S. Patent No. 7,039,358 ("*Shellhammer*").

In this response, Applicants amended claims 1 and 5. Based upon the amendments and arguments contained herein, Applicants respectfully request reconsideration and allowance of the pending claims.

**AMENDMENTS TO THE SPECIFICATION**

Applicants amended paragraph [0021] to correct a typographical error. Figure 8 and paragraph [0021] should refer to "across mode synchronous" rather than "within mode synchronous".

**THE CITED REFERENCES**

*Bjorndahl* teaches a mobile station 20 in communication with a base station 21. According to *Bjorndahl*, an infrared (IR) link is first used to establish security protocols (*e.g.*, encryption) between the mobile station 20 and the base station 21. Subsequently, the mobile station 20 communicates to the base station 21 using a radio frequency (RF) link based on the established security protocols (see claim 1; Figure 2; and paragraph [0025]-[0029]).

*Gerten* teaches avoiding interference in a Bluetooth system by scanning communication channels for interference and adjusting the frequency hop sequence as needed (see claim 1; Figure 3; and col. 4, lines 38-67).

*Shoobridge* teaches avoiding interference during transmission of Bluetooth and 802.11 signals by spatially separating the radiation patterns (see claim 1; Figure 3; and col. 6, line 59 – col. 7, line 8).

*Cannon* teaches extending the range for a Bluetooth piconet using cordless telephone technology (see claim 1; Figure 3; and col. 6, lines 11-47).

*Shellhammer* teaches an apparatus with a Bluetooth transceiver and an 802.11 transceiver. Signal interference is avoided by coordinating transmission so that only one transceiver transmits at a time (see claim 1; Figure 1; and col. 6, lines 28-44).

**CLAIM REJECTIONS**

"Any rejection under 35 U.S.C. § 103 must clearly and explicitly articulate the reason(s) why the claimed invention would have been obvious. MPEP § 2142. The framework for determining obviousness under 35 U.S.C. § 103 requires (1) determination of the scope and content of the prior art; (2) assessment of the differences between the claimed invention and the prior art; and (3) assessment of the level of ordinary skill in the pertinent art. *MPEP* § 2141 (citing *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1395-97 (2007)). According to MPEP §2141, ascertaining the differences between the *claimed invention* and the prior art requires *interpreting the claim language*. Differences between the claim limitations and the prior art weighs in favor of non-obviousness. For instance, to establish obviousness, each of the claim limitations must be taught or suggested by the prior art. See *CFMT, Inc. v. YieldUp Int'l Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003)). In addition, "[i]f an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP § 2143.03 (2007) (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))."

The Examiner rejected claims 1-4 and 14 under 35 U.S.C. § 103(a) as being allegedly obvious over *Bjorndahl* in view of *Gerten*. Amended claim 1, in part, requires "each of said first and second communication devices is selectable as a master device that coordinates synchronization for communications in the Bluetooth mode and communications in the second mode." Claim 1 further requires "each of said first and second communication devices is selectable as a slave device that adheres to the synchronization provided by the master device." *Bjorndahl* and *Gerten*, considered individually or together, fail to teach or suggest these limitations. In particular,

*Bjorndahl's* base station 21 cannot be selected as a master device or a slave device. Thus, combinations of *Bjorndahl* and *Gerten* would be improper. For at least these reasons, claim 1 and its dependent claims are allowable over *Bjorndahl* and *Gerten*.

The Examiner rejected claims 5-9 and 15-20 under 35 U.S.C. § 103(a) as being allegedly obvious over *Gerten* in view of *Shoobridge* and *Bjorndahl*. Amended claim 5, in part, requires "the synchronization involves switching back and forth between the Bluetooth mode and the second mode." The Examiner cites *Bjorndahl* as teaching synchronization. Office Action dated 10/04/07, page 5, paragraph 3. However, *Bjorndahl's* system does not switch back and forth between communication modes as required in claim 5. Instead, *Bjorndahl* establishes security protocols (*e.g.,* encryption) between the mobile station 20 and the base station 21 using IR. Subsequently, the mobile station 20 communicates to the base station 21 using a radio frequency (RF) link based on the established security protocols (see claim 1; Figure 2; and paragraph [0025]-[0029]). There is no switching back and forth between the IR and RF modes in *Bjorndahl*. For at least these reasons, claim 5 and its dependent claims are allowable over the cited references.

The Examiner rejected claims 10-13 under 35 U.S.C. § 103(a) as being allegedly obvious over *Gerten* in view of *Cannon* and *Shellhammer*. Claim 10, in part, requires "placing the first communication device in the Bluetooth mode in order to communicate with a communication device from amongst the plurality of communication devices in the first piconet" and "placing the first communication device in a second mode in order to communicate with a communication device from amongst the plurality of communication devices in the second piconet, the second mode being the mode used by the plurality of communication devices in the second piconet." The cited references, considered individually or together, fail to teach a piconet where communications are in a Bluetooth mode and another piconet where communications are in a second communication mode. *Gerten* discusses only Bluetooth piconets. *Cannon* simply extends Bluetooth piconets. *Shellhammer* mentions both Bluetooth and 802.11 communications, but not different piconets with different communication modes as in

claim 10. For at least these reasons, claim 10 and its dependent claims are allowable over the cited references.

**CONCLUSION**

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. However, in the event that additional extensions of time are necessary to allow for consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Texas Instruments Inc.'s Deposit Account No. 20-0668 for such fees.

Respectfully submitted,

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